

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

<b>Case No.</b>	2:23-cv-09416-CAS (AGRx)	<b>Date</b>	March 13, 2024
<b>Title</b>	BIRDDOG TECHNOLOGY LIMITED ET AL V. 2082 TECHNOLOGY, LLC ET AL		

**Present: The Honorable** CHRISTINA A. SNYDER

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings:** (IN CHAMBERS) - PLAINTIFFS BIRDDOG TECHNOLOGY LIMITED'S AND BIRDDOG AUSTRALIA PTY LTD'S REQUEST FOR ENTRY OF DEFAULT PURSUANT TO FRCP 55(a) (Dkt. 67, filed on MARCH 5, 2024)

On February 12, 2024, plaintiffs filed a proof of service, which indicated that they effectuated personal service on an authorized agent of defendant Bolin Limited, a Chinese limited company, in Brea, CA, and mailed the documents to the same address. Dkt. 58.

On March 5, 2024, plaintiffs filed a request for entry of default pursuant to Federal Rule of Civil Procedure 55(a). Dkt. 67. Plaintiffs assert that they served the summons and FAC personally on Bolin Limited on February 12, 2024, pursuant to Federal Rule of Civil Procedure 4(h)(1)(B). Id. Because Bolin Limited did not respond to the FAC by the March 4, 2024 deadline, plaintiffs request that the Clerk of Court enter default against Bolin Limited. Id. Plaintiffs attached a declaration in support of their request for the Clerk's entry of default. Dkt. 67-1.

On March 8, 2024, the Clerk issued a notice of deficiency because the "Clerk cannot determine whether service of process was appropriate." Dkt. 68. Plaintiffs' request for entry of default was forwarded to and is presently before the Court. Id.

Federal Rule of Civil Procedure 4(h)(1)(B) provides that a foreign corporation may be served:

by delivering a copy of the summons and of the complaint to an officer, a managing or general agent, or any other agent authorized by appointment or

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by law to receive service of process and--if the agent is one authorized by statute and the statute so requires--by also mailing a copy of each to the defendant[.]

Fed. R. Civ. P. 4(h)(1)(B).

At this juncture, it is not clear to the Court whether service on Zhen Lin was proper. The Court directs plaintiffs to file a supplemental brief on or before March 22, 2024, not to exceed five pages, explaining what Lin's relationship is to Bolin Limited and why Lin was an authorized agent to receive service of process on behalf of Bolin Limited. Defendants shall not file a response to plaintiffs' brief, unless requested to do so by the Court.

In accordance with the foregoing, the Court RESERVES JUDGMENT on plaintiffs' request for entry of default.

IT IS SO ORDERED.

Initials of Preparer	00	:	00
	CMJ		